

type of oral contact (e.g., telephonic, in-person, etc.) and set forth the following additional information:

1. the date of the event, occurrence, meeting or negotiation session;
2. the place where it occurred;
3. the identity of all conversants and/or all participants in all or any part of the event, occurrence, meeting or negotiation session; participants herein being defined to include each PacBell employee, officer, director, supervisor, agent, consultant, representative, whether employed directly or otherwise, whose job description, position or scope of authority related to the subject matter of the event, occurrence, meeting or negotiation session, whether such participant was present or not.
4. the length of the event, occurrence, meeting or negotiation session;
5. Identify every document relating to, referring to, describing or evidencing the event, occurrence, meeting or negotiation session; and
6. a description of the event, occurrence, meeting or negotiation session; and if it was a meeting, negotiation session or communication, state the substance of all matters communicated or discussed.

E. As used herein, the words "identify", "identity", or "identification", when used in reference to a

person other than a natural person (see definition of "person" in Section H, infra) mean to:

1. state its full name; and
2. state the present or last known address and telephone number of its principal place of business or its principal office.

F. As used herein, the term "date" means the exact day, month, and year, if ascertainable. If the exact day, month, and year is not ascertainable, give the best approximation thereof and include the temporal relationship of the event in question to other events for which the date can be fixed with greater precision.

G. As used herein, the terms "relating to", "concerning", and "concern" include referring to, alluding to, responding to, in connection with, commenting on, in respect of, about, regarding, discussing, showing, describing, reflecting, analyzing, constituting and being.

H. As used herein, the words "person" or "persons" shall include natural persons as well as federal, state, or local governmental departments; federal, state, or local administrative agencies, or other federal, state, or local governmental entities; for profit and non-profit corporations; public corporations; municipal corporations; organizations; partnerships; joint ventures; firms;

associations; proprietorships; boards; authorities; commissions; or other such entities.

I. As used herein, the term "communication" means any written document and words spoken or heard, regardless of whether designated "confidential" or "privileged" or otherwise and includes, without limitation, words spoken at any meeting, discussion, speech or conversation, including any telephone conversation, data transmission, or facsimile transmission.

J. Words used herein in the singular number shall include the plural number, and words used in the plural number shall refer to the singular number as well. Gender is to be wholly disregarded, the neuter referring as well to the male and female, and the male referring to the female and neuter.

K. As used herein, the conjunction "and" is defined to include the disjunctive "or", and vice versa.

L. If, in answering these interrogatories, the party responding encounters any ambiguity in construing either the interrogatory or a definition or instruction relevant to the inquiry contained within the interrogatory, the party shall set forth the manner deemed "ambiguous" and set forth the construction chosen or used in answering the interrogatory.

M. Wherever an interrogatory calls for the identity of a document or non-written communication claimed by an answering party to be privileged, include in the statement of the identity of such document or non-written communication the fact of such claim of privilege and the complete factual and legal basis for the assertion of such claim.

N. In each instance in which possession of knowledge or information sufficient to answer an interrogatory or any part thereof is denied, identify each person, if any, known or believed to have such knowledge.

O. In each instance in which insufficient knowledge or information is asserted as a ground for not providing information or for only providing a portion of the information requested by an interrogatory or any part thereof, describe the effort made to locate information to answer such interrogatory or part thereof.

P. Identify each person preparing or assisting in the preparation of the answers to these interrogatories and further identify each person who provided information used in responding to these interrogatories, indicating the interrogatory answers which are predicated, in whole or in part, on information provided by each such person.

Q. As used herein, "CCS6" is an abbreviation

meaning Common Channel Signaling System 6, as used in the telecommunications industry.

R. As used herein, "IXC" or "IEC" is an abbreviation or acronym meaning an interexchange carrier or carriers such as AT&T, MCI or TMC.

S. If in response to any Interrogatory, reference is made to any PacBell tariff, provide the exact reference, by section and page number; and, in the event such references refer to tariff sections or pages which have been superseded or cancelled, provide copies of all such superseded or cancelled tariff pages.

INTERROGATORIES

Pursuant to the General Guidelines, Definitions and Instructions outlined above, respond fully to each of the following interrogatories:

INTERROGATORY 1

In addition to PacBell's tariff references, describe in detail the technical and service differences between PacBell's Feature Group C ("FGC") access service, Feature Group D ("FGD") access service that is routed through an access tandem, and FGD direct trunking access service, specifically including, but not limited to, the differences in timing parameters, software steps, hardware steps, holding steps, signaling (i.e., a comparison of CCS6 vis-a-vis the

methods of signaling used for IXCs other than AT&T), management controls, and overflow controls between the three types of services, and the differences, if any, among these access services and the access services (FGC, FGD through an access tandem and FGD direct trunking) available and provided in LATA No. 732 from 1985 to the present.

INTERROGATORY 2

(1) Provide the busy hour grade of service that PacBell's interoffice facilities between end offices and the access tandem used in LATA No. 732 from 1985 to the present in the provision of FGD access services, and the interoffice facilities used to provide FGC access services in LATA No. 732, are engineered to provide, including, but not limited to, a discussion of the methodology used to determine the appropriate number of facilities required to meet the stated grade of service and the percentage of calls that the grade of service is designed to block.

(2) Provide the busy hour grade of service that was actually achieved on a daily basis for access service that was routed from the various end offices in LATA No. 732 to the Northern Telecom DMS-200 access tandem switch during the period 1985-1988 and the number of calls processed during the busy hour each day; and if there is a discrepancy in the grade of service engineered and that actually achieved, explain fully the discrepancy and the reasons therefor, and

provide the identity of all persons responsible for instituting, operating or managing the busy hour grade of service for access service in LATA No. 732 from 1985 to the present; and provide all documents, including traffic reports and raw data, reflecting or relating to any of the foregoing, and if such reports are not maintained by PacBell or are not available, provide a full explanation as to why such reports are not kept; and in lieu of such reports, provide an estimation of the requested data, including a description of how the estimation was achieved.

INTERROGATORY 3

Supply the exact dates on which AT&T was converted from FGC to FGD access service for each central office switch in LATA No. 732 and the rates AT&T was charged for its FGC access service from 1985 to the date AT&T was converted from FGC to FGD, and the rates AT&T was charged for its FGD service after such conversion; and provide specification to any PacBell tariff provisions governing same, and all cost support data submitted to the Federal Communications Commission in support of same.

INTERROGATORY 4

Itemize all controls and/or diagnostic tests applied from PacBell's Anaheim Network Control Center and/or any other location to the Northern Telecom DMS-200 90T

tandem switch located at 650 Robinson Avenue, San Diego, California (hereinafter the "Tandem"), or to any central office or any equipment therein that feeds the Tandem, beginning on the date the Tandem first became operational and continuing through the end of 1988, including an explanation as to why these controls were implemented and the effect these controls had on traffic that was routed over interoffice facilities from end offices in LATA No. 732 and/or routed through the Tandem; the grade of service during the busy hour, on a daily basis, for every day during that period; any treatment messages that were employed, the content of such messages, and the number of calls during the busy hour, on a daily basis, that received the treatment messages; and the number of calls during the busy hour, on a daily basis, that received no answer to their calls. Identify all documents reflecting or relating to any of the foregoing, and if such documents are not maintained by PacBell or are not available, provide a full explanation as to why such documents are not kept, and in lieu of such documents, provide an estimation of the requested data, including a description of how the estimation was achieved, and all persons and participants involved in making the estimation.

INTERROGATORY 5

Describe the plans PacBell had prior to and at the time of equal access conversion in LATA No. 732 to employ more than one access tandem switch in LATA No. 732, including identification of the persons involved in developing, implementing or abandoning such plan, and any documents, events, occurrences, meetings or negotiation sessions reflecting or relating to such plan(s), its or their creation, implementation, or abandonment, and all persons and participants involved in any of the foregoing.

INTERROGATORY 6

Identify each carrier, including PacBell, that presently has, or has had at any time, access traffic routed through the Tandem, including the percentage of that carrier's total access traffic in LATA No. 732 that is or was routed through the Tandem, the percentage of the total traffic routed through the Tandem that represents that carrier's traffic, the specific type of PacBell traffic that was routed through the Tandem, the length of any post-dial delay experienced by callers of that carrier, the dates on and circumstances under which blocking and/or "controls" were imposed on that traffic, the busy hour grade of service for every carrier's trunk group on a daily basis, and with respect to AT&T, the percentage of AT&T's total access

traffic in LATA No. 732 that originated from the end offices with "step-by-step switches" that had traffic routed through the Tandem, and all documents relating to any of the foregoing, and if such documents are not maintained by PacBell or are not available, provide a full explanation as to why such documents are not kept, and in lieu of such documents, provide an estimation of the requested data, including a description of how the estimation was achieved; and identify all persons and participants involved with any of the foregoing.

INTERROGATORY 7

Provide the dates on which PacBell recommended FGD direct trunking to TMC as the alternative to utilization of the Tandem, the exact description of the FGD direct trunking (e.g., full span, i.e., 24 circuit basis) that was offered to TMC on each date, including applicable rates and charges; indicate whether such recommendations were made in writing, by telephone, at a meeting, etc.; identify all persons and participants for PacBell who made such recommendations; and identify all documents, in addition to any tariffs, reflecting or relating to any of the foregoing.

INTERROGATORY 8

Provide the dates on which PacBell recommended FGD direct trunking or any other alternative to access service

through the Tandem to all other IXCs receiving access services from PacBell in LATA No. 732 from 1985 to the present; and identify all documents reflecting or relating to any of the foregoing, and all persons and participants involved therewith.

INTERROGATORY 9

Identify all "instructional recordings" pertaining to blocked calls or other controls or processing procedures of the traffic of IXCs and of PacBell itself utilized by PacBell in LATA No. 732 between 1985 to the present, supply the content of the message on such recordings, explain fully the circumstances under which each such recording was employed, and all persons and participants having responsibility for the use of such "instructional recordings" in general and specifically as to the use of such "instructional recordings" as applied to TMC.

INTERROGATORY 10

Explain fully the reasons why PacBell chose to employ a Northern Telecom DMS-200 switch in San Diego, and identify all documents reflecting or relating to the foregoing, including, but not limited to, engineering forecasts, demographic studies and reports, other reports, raw data, switch configurations supplied to PacBell by Northern Telecom, and any information provided to Northern

Telecom by PacBell for Northern Telecom's use in configuring the configuration of PacBell's switch, and identify all persons and participants involved in any of the foregoing.

INTERROGATORY 11

(1) With respect to the failure of the Tandem on June 29, 1987, provide the exact date and time on which the Tandem failed, the cause therefor, the exact date and time on which the Tandem was fully reactivated, the actions taken to reactivate the Tandem, the persons and participants involved, a complete description of all maintenance, inspection procedures and other actions instituted after the Tandem's failure, including an explanation of how such procedures differ from the maintenance and inspection procedures employed prior to the Tandem's failure; and identify all persons and participants involved and all documents reflecting or relating to any of the foregoing, including, but not limited to, technical reports and maintenance reports, and all persons and participants involved with any of the foregoing.

(2) Provide a complete list of all carriers whose traffic was affected by the failure, including the percentages of each carrier's total access traffic that was affected by the failure, and all documents relating to the foregoing, and if such documents are not kept by PacBell or are not available, provide a full explanation as to why such

documents are not kept, and in lieu of such documents, provide an estimation of the requested data, including a description of how the estimation was achieved, and all persons and participants involved in any of the foregoing.

INTERROGATORY 12

With respect to the May 13, 1987 failure of the peripheral device attached to the Tandem, discussed on p. 25 of PacBell's Answer to TMC's Complaint, provide a complete description of the peripheral device, including its function, manufacturer, model number, and how it was or is interconnected to the Tandem; the exact time that the peripheral device failed, the cause therefor, and the exact time that the device was fully reactivated, the actions taken to reactivate the device, the persons involved, a complete description of all maintenance and inspection procedures instituted after the failure, including an explanation of how such procedures differ from the maintenance and inspection procedures employed prior to the failure, and a complete list of each carrier whose access traffic was affected by the failure, including the percentage of that carrier's total access traffic in LATA that was affected; and identify all persons and participants involved and all documents reflecting or relating to any of the foregoing, and if such documents are not maintained by PacBell or are not available, provide a full explanation as to why such documents are not

kept, and in lieu of such documents, provide an estimation of the requested data, including a description of how the estimation was achieved, and all persons and participants involved in making the estimation.

INTERROGATORY 13

Provide a complete log and/or other materials detailing each and every occurrence of switch failure, switch-over to redundant processor, processor cool-start, processor warm-start, and/or any other incident planned or unplanned which in any way involved the functioning of the Tandem's processors, software, hardware and/or peripherals, which may be connected to that switch during the period 1985-1988. Provide the exact date and time of each such incident, the cause therefor, the duration of the incident, the effect of the incident on the call processing capacity of the Tandem, the actions taken to resolve the incident, the persons and participants involved, a complete description of all maintenance, inspection procedures and other actions instituted after such incidents, including an explanation of how such procedures differ from the maintenance and inspection procedures employed prior to any such incidents; and identify all persons involved and all documents reflecting or relating to any of the foregoing, including, but not limited to, technical reports and maintenance reports.

INTERROGATORY 14

Identify the event, occurrence, meeting, negotiation session, and any documents relating thereto at which and during which PacBell informed TMC that utilization of a DACs machine would enable TMC to order FGD direct trunking on a per-circuit basis; and identify the PacBell persons who discussed this issue with TMC and the PacBell participant(s) with authority over the use of the PacBell DACs machine(s) in LATA No. 732; and identify all documents reflecting or relating to any of the foregoing.

INTERROGATORY 15

For each DACs machine installed by PacBell in its central offices in LATA No. 732, provide the date on which the machine was installed, the type of traffic which was carried over the DACs, the IXCs, if any, who were provided with access service through the DACS machine and the limitations, if any, on the use of the DACs for any type of traffic or on its use by any particular carrier; and identify all documents reflecting or relating to any of the foregoing, and all persons and participants involved with any of the foregoing.

INTERROGATORY 16

Identify the access time study performed by PacBell on TMC's traffic in October 1986, and any other access time

studies relating to the use of the Tandem in LATA No. 732 and otherwise, including, but not limited to, the specific date(s) and time(s) of day on which such study(ies) was (were) performed, the length of the study(ies), the specific location(s) where the test(s) was (were) performed; identify all PacBell persons and participants that were present at the study(ies), a description of how the data was recorded and whether any follow-up studies were made, including any measures that were taken to verify that the test results were accurate; identify all documents reflecting or relating to any of the foregoing, including any recordation of raw data, and if such documents are not maintained by PacBell or are not available, provide a full explanation as to why such documents are not kept, and in lieu of such documents, provide an estimation of the requested data, including a description of how the estimation was achieved; and identify all persons and participants involved in the foregoing.

INTERROGATORY 17

Identify any meetings, events, occurrences or negotiation sessions held by PacBell, and all persons and participants therein that discussed, developed, issued and/or implemented, either directly or indirectly, PacBell's corporate policy in the 1980-1986, or other relevant time frame, concerning the viability of the reseller and/or small IXC market and the desirability or undesirability of devoting

PacBell's corporate resources and facilities to the provision of access or other services to this market; identify the PacBell persons and participants involved with or attending the meetings, events, occurrences or negotiation sessions, and as to each, state his/her past (from the date of the meeting(s) to present) and present (if a reassignment has been made) job titles, job descriptions, their primary, secondary and other supervisors; identify the PacBell officers to which these supervisors report; describe the specific authority each of the persons, supervisors and officers have, had, and exercised (whether directly or by delegation) in connection with development and application of said policy, the afore-referenced events, occurrences, meetings and negotiation sessions, and all internal PacBell discussions, meetings, events, occurrences, or negotiation sessions relating or pertaining to the preparation and planning by PacBell of said policy and meetings; describe all internal discussions, meetings, events, occurrences or negotiation sessions relating or pertaining to any plans, actions, strategies, negotiations and governmental contacts (state or federal) that occurred and were pursued, created, developed and implemented by PacBell in response to and as follow-up to said policies, meetings, events, occurrences or negotiation sessions; identify all documents reflecting or relating to any of the foregoing, including the internal

PacBell documents reflecting or relating to, either directly or indirectly, the company's policy with respect to resellers and small IXCs; and indicate the persons (whether PacBell's or others) responsible for creating such documents and to whom such documents were directed.

INTERROGATORY 18

With respect to PacBell's statement in its Answer, at p. 25, n. 16, that "[l]imited capacity on some common transport trunks caused some IEC calls to be blocked in 1986 . . .", provide the specific dates and times on which such blocking occurred, including the total elapsed time of each incident; the IXCs whose calls were blocked on the dates and times specified above; the percentage of that carrier's total access traffic in LATA No. 732 that was blocked; the specific number of common transport trunks that were affected; the cause for the limited capacity of such trunks; the busy hour grade of service provided by these trunks on a daily basis during the period in question; identify all persons and participants involved with and all documents reflecting or relating to any of the foregoing, and if such documents are not maintained by PacBell or are not available, provide a full explanation as to why such documents are not kept, and in lieu of such documents, provide an estimation of the requested data, including a description of how the

estimation was achieved; and identify all persons and participants involved with any of the foregoing.

INTERROGATORY 19

With respect to PacBell's statement in its Answer, at p. 27, that "[on] several occasions between February and April of 1988, peak hour traffic was intentionally blocked on some trunks from end offices to the DMS-200 . . .", identify the end offices involved, the specific number of occasions on which calls were blocked, including the dates and times on which blocking occurred and the total elapsed time of each incident; the specific carriers whose traffic was blocked on the occasions identified above and the percentage of each carrier's total access traffic in LATA No. 732 that was blocked; the persons and participants who made the decision to intentionally block traffic and provide the basis for such decision; and all documents reflecting or relating to any of the foregoing, and if such documents are not maintained by PacBell or are not available, provide a full explanation as to why such documents are not kept, and in lieu of such documents, provide an estimation of the requested data, including a description of how the estimation was achieved, and all persons and participants involved in making the estimation.

INTERROGATORY 20

With respect to PacBell's statement in its Answer, at p. 16, that PacBell "offered central office multiplexing to TMC . . .", identify the specific date(s) on which such an offer was made, the specific persons who made such an offer on behalf of PacBell, the specific TMC personnel to whom such an offer was made, and whether the offer was in writing or via an oral contact; provide a complete description of the multiplexing that was offered, including the rates and charges (both recurring and non-recurring) for such service; and identify all documents reflecting or relating to any of the foregoing, and all persons and participants involved with any of the foregoing.

INTERROGATORY 21

In connection with the September 8, 1986 meeting between PacBell and TMC, discussed on p. 11 of PacBell's Answer, identify the persons and participants involved with, or attending the meeting on behalf of PacBell, and as to each, state his/her past (from the date of the meeting to present) and present (if a reassignment has been made) job titles, job descriptions, their primary, secondary and other supervisors; identify the PacBell officers to which these supervisors report; describe the specific authority each of the persons, supervisors and officers have, had, and

exercised in connection with said September 8, 1986 meeting, and all internal PacBell discussions, events, occurrences, meetings or negotiation sessions relating or pertaining to the preparation and planning by PacBell for said September 8, 1986 meeting, and all internal discussions, events, occurrences, meetings or negotiation sessions relating or pertaining to any plans, actions, strategies, negotiations and governmental contacts (state or federal) that occurred and were pursued, created, developed and implemented by PacBell in response to and as follow-up to said meeting on September 8, 1986; provide the substance of all matters discussed at said meeting on September 8, 1986; and identify all documents reflecting or relating to any of the foregoing.

INTERROGATORY 22

With respect to PacBell's statement in its Answer, at p. 25, that PacBell ordered an additional 4ESS switch from AT&T Technology, and that its plans "called for the traffic originally supposed to be switched by the DMS-200 to be divided, geographically, between the DMS-200 and the 4ESS", describe fully the facts, circumstances, and policies which formed the basis for this decision to add the 4ESS and divide traffic between the "DMS-200" and the 4ESS, and the exact manner in which traffic was divided between the two switches, including the specific carriers whose traffic was

switched to the 4ESS and the percentage of each carrier's total access traffic in LATA No. 732 that was handled by each switch, and the criteria used by PacBell to determine which carrier's traffic was switched off the Tandem, and the persons and participants involved with any of the foregoing.

INTERROGATORY 23

With respect to PacBell's statement in its Answer, at p. 26, that in January 1988 the Tandem "unexpectedly lost still more processing capacity", and that as a result, PacBell "resumed rapid deloading of traffic from the DMS-200, urged IECs to order direct access service wherever feasible, and took other steps to minimize demand on the processing capacity of the switch", identify the carriers that had their traffic deloaded from the "DMS-200", including the percentage of each carrier's total LATA No. 732 access traffic that remained on the "DMS-200" and the criteria utilized by PacBell to determine which traffic was removed from the "DMS-200", including an explanation of the criteria used by PacBell to determine whether the ordering of direct access traffic would be "feasible" and an identification of the persons and participants responsible for making such a determination; identify the specific IECs who were "urged" to order direct access service at that time, the specific recommendations made to those IECs and the basis for such recommendations; specify the "other steps" that PacBell took

to minimize demand on the "DMS-200"; provide a list of all features added, activated, removed, deactivated or altered in any manner in the Tandem and identify the effects of such action on the Tandem's call handling capacity according to any information provided by Northern Telecom to PacBell or which PacBell may have been otherwise aware of; and identify all documents reflecting or relating to any of the foregoing.

INTERROGATORY 24

Identify the number of voice grade analog lines used for FGD direct trunking in LATA No. 732 from 1985 to the present; list the carriers that use or used such lines for direct trunking access service during this same time frame, including the dates of such use by carrier; indicate whether the use of such lines requires routing through the Tandem, and, if not, why not; provide the rates applicable to such lines; and provide all documents relating to any of the foregoing, and all persons and participants involved with the use of such lines and their sale to IXCs on behalf of PacBell.

REQUEST FOR PRODUCTION OF DOCUMENTS

PacBell is requested to produce, for inspection and copying, the documents identified below. Such production shall take place at the offices of Dow, Lohnes & Albertson,

1255 Twenty-third Street, N.W., Suite 500, Washington, D.C.
20037, on or before June 14, 1989.

1. All documents identified in response to
Interrogatories 1 through 24, or which relate to all or any
portion of the subject matter of Interrogatories 1 through
24, and PacBell's answers thereto.

Respectfully submitted,

CLARK-BADER, INC., d/b/a
TMC LONG DISTANCE, INC.

By: 

Charles H. Helein


Julia A. Waysdorf
Its Attorneys

Donald H. Manley
Telecommunications Specialist

Of Counsel:

DOW, LOHNES & ALBERTSON
1255 Twenty-third Street, N.W.
Suite 500
Washington, D.C. 20037
(202) 857-2760

May 15, 1989

CERTIFICATE OF SERVICE

I, Ma-Li Liang, hereby certify that on this 15th day of May, 1989, true copies of the foregoing "Complainant's First Set of Interrogatories and Request for Production of Documents" by Clark-Bader, Inc., d/b/a TMC Long Distance, Inc. were served by either courier or first-class, United States mail, postage prepaid, upon the following:

Gregory A. Weiss, Esq.*/
Chief
Formal Complaints and
Investigation Branch
Common Carrier Bureau
Federal Communications Commission
Room 6216, 2025 M Street, N.W.
Washington, D.C. 20554

Patricia Bowman*/
Formal Complaints and
Investigation Branch
Common Carrier Bureau
Federal Communications Commission
Room 6216, 2025 M Street, N.W.
Washington, D.C. 20554

James P. Tuthill, Esq.
Lucille M. Mates, Esq.
Pacific Bell
140 New Montgomery Street, Room 1530-A
San Francisco, CA 94105

Stanley J. Moore, Esq.
Pacific Bell
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004


Ma-Li Liang

* / Denotes service by courier.